10                          LUC-450 / Buskens 6-1-1-1-2

## Remarks

Entry of the above-noted amendments, reconsideration of the application, and allowance of all claims pending are respectfully requested. By this amendment, claims 1, 16, and 21 are amended. These amendments to the claims constitute a bona fide attempt by applicants to advance prosecution of the application and obtain allowance of certain claims, and are in no way meant to acquiesce to the substance of the rejections. It is believed that the amendments made herein place the entire application in condition for allowance and/or better form for appeal. Support for the amendments can be found throughout the specification (e.g., page 7, lines 6-13), figures, and claims and thus, no new matter has been added. Claims 1-9 and 11-22 are pending.

Claim Rejections - 35 U.S.C. § 102

Claims 1-9, 11, 16, and 21 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Zhou et al. (U.S. Patent App. Pub. No. 2004/0153624; "Zhou"). Claims 1-9 and 11-22 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Anderson (U.S. Patent App. Pub. No. 2003/0058796). These rejections are respectfully, but most strenuously, traversed.

Zhou discloses (para. 37) that a service instance refers to a single, fully-specified, configuration of a service. Zhou further discloses (para. 38) that at any single point in time, only one image of a service instance is active. The active instance is fully operational and zero or more images of the service instance may be in standby mode. The high availability manager (HAM) is also part of the active and standby images (para. 34). In contrast, claim 1 recites that the second manager component peers with the first manager component to cooperatively manage and prevent autonomous control of the software and/or hardware entity.

Anderson discloses (paragraph 68) high availability for the provisioning manager 18 provided by a redundant server. Anderson fails to make any mention of a high availability domain. Anderson further discloses that the signaling manager 16 is generally embodied on an ATM WAN (paragraph 45), but fails to make any mention that the ATM WAN is part of the high availability domain. Anderson fails to disclose the second manager component peers with the first manager component to cooperatively manage and prevent autonomous control of the software and/or hardware entity.

The Office Action's citations to Zhou and Anderson all fail to meet at least one of applicants' claimed features. For example, there is no teaching or suggestion in the Office Action's citations to Zhou and Anderson of the second manager component peers with the first manager component to cooperatively manage and prevent autonomous control of the software and/or hardware entity, as recited in applicants' independent claim 1.

For all the reasons presented above with reference to claim 1, claims 1, 16, and 21 are believed neither anticipated nor obvious over the art of record. The corresponding dependent claims are believed allowable for the same reasons as independent claims 1, 16, and 21, as well as for their own additional characterizations.

Withdrawal of the § 102 rejections is therefore respectfully requested.

12                              LUC-450 / Buskens 6-1-1-1-2

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested.    If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney or agent.

Respectfully submitted,

Bradley H. Valenzo
Agent for Applicants
Reg. No. 64,873

Dated:  March 23, 2011

CARMEN PATTI LAW GROUP, LLC
Phone: (312) 346-2800        Fax: (312) 346-2810
Customer Number 47382